

AVERY G. MARTIN  
1637 FAIRNTOSH DR  
FORT MILL, SC 29715

JANUARY 27, 2025

Re: *In re College Athlete NIL Litigation*, No. 4:20-cv-03919-CW

Dear Judge Wilken:

My name is Avery Martin. I am a high school student aspiring to be a future Division I athlete, and a member of the Injunctive Relief Class. For the reasons stated in my attached declaration, I object to the roster limits in the settlement agreement in *In re College Athlete NIL Litigation*, No. 4:20-cv-03919-CW. I make this objection individually and on behalf of the Injunctive Relief Class.

I designate Steven F. Molo and the firm of MoloLamken LLP to speak on my behalf at the Fairness Hearing on April 7, 2025.

Sincerely,  
Avery Martin  
NCAA # 2406331337

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

IN RE COLLEGIATE ATHLETE NIL  
LITIGATION

Case No. 4:20-cv-03919-CW

Hon. Claudia Wilken

**DECLARATION OF AVERY MARTIN**

I, Avery Martin, hereby declare as follows pursuant to 28 U.S.C. § 1746:

1. I am 16 years old and am in my junior at Nation Ford High School. I have been competing as a swimmer since I was 10 years old and hope to compete on a Division I college team.

2. I understand that the settlement in this lawsuit will govern NCAA Division I sports for the next decade, which is when I will be in college. I therefore am a class member who could be affected by the terms of the settlement. I object to the settlement for the reasons stated below, both for myself and for other class members like me.

3. I have been training at escalating levels since I began swimming competitively 7 years ago. I currently train approximately 20 hours/week and have devoted my life to intense training, healthy eating and healthy life habits. I am a member of three different competitive teams: Mecklenburg Aquatic Club (currently the number 1 swim club in the country), Nation Ford Swim Team (High School), and Springfield Greenwave (Neighborhood swim team). I have found competitive swimming to be rewarding, motivating, and challenging. Swimming also requires a great amount of sacrifice. I have had to modify my planned academic classes to account for the fact that I don't have adequate time to devote to the homework and study required to take all Honors and Advanced Placement classes. I have also had to miss out on many social events and activities due to swim practice or meets.

4. I have continued to improve as a competitive swimmer.

a. I currently hold 3 school records at my high school;

- i. 500 Yard Freestyle
- ii. 200 Yard Freestyle
- iii. 200 Yard Individual Medley.

- b. Achievements at South Carolina High School State Championships
  - i. Silver Medal – 500 Yard Freestyle
  - ii. Silver Medal – 200 Yard Individual Medley

- c. Mecklenburg Aquatic Club
  - i. Qualified for North Carolina Age Groups meet
  - ii. Qualified for Eastern Futures meet

5. My goal is to swim competitively in college at a Division 1 school in either the SEC or ACC. I thrive in the team atmosphere and find swimming an excellent motivator to continue to improve and be the best version of myself. Katie Ledecky is my role model and one of the primary reasons I moved from sprinting to distance swimming. Since this ruling on roster limits, my recruiting conversations have completely stopped because teams have almost shut down recruiting for the classes of 2025 and 2026.

6. I feel that the imposed college swim team roster limits unfairly target female athletes since our sports do not generate the revenue of some of the male athlete sports. I also believe that limiting the rosters will have the unintended outcome of reducing the potential of the US Olympic teams. Many stand-out Olympic athletes began their college careers without scholarships and worked their way into Olympic history.

7. In closing, I feel that imposing roster limits will dramatically reduce the options for so many athletes that have dedicated themselves to their sport and were on track to compete at the college level. This also unfairly punishes female athletes and should be terminated.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Fort Mill, SC  
January 27, 2025

Avery Martin  
Avery Martin  
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Fort Mill, SC 29715